IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3571 OF 2006

Harilal Kalwa Gupta ... Applicant
versus
The State of Maharashtra ... Respondent

Shri A.P.Mundargi, Sr.Counsel with Ganesh Gole for applicant.

Smt.M.M.Deshmukh, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 16th October 2006

PC :

1. The applicant is arrested in connection with CR No.101 of 2006 registered at Wagale Estate Police Station, Thane.

2. I have been taken through the application and the annexures thereto including the orders passed in the case of co-accused.

3. Although, the learned APP would urge that it is the applicant who has introduced various persons who have thereafter placed the monies belonging to different authorities in the

concerned bank, I find substance in the contention of Shri Mundargi that barring such introduction, it cannot be said that the applicant's role is distinguishable from those of the co-accused. In fact, the co-accused includes one Krishna Gandhe who is the Accounts Officer at SRA.. The applicant is supposed to have introduced two persons to Gandhe. Once Gandhe is enlarged on bail, this applicant deserves to be enlarged on bail. Hence, following order.

4. ORDER :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.I 101/2006 registered with Wagle Estate Police Station, Thane, subject to furnishing a personal bond of Rs.15,000/- (Rs.Fifteen thousand only) with one or two local sureties in the like sum;

(ii) The applicant shall report to Wagle Estate Police Station, Thane once in a fortnight;

(iii) The applicant shall deposit his passports, if any, with Wagle Estate Police Station, Thane. Deposit of pass port is condition precedent;

(iv) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(v) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vi) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(vii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)